

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEMETROIS T. DIXSON,
Plaintiff,
v.
F. MOHAMMAD,
Defendant.

2:24-cv-00332 SCR P

ORDER AND
FINDINGS AND RECOMMENDATIONS

Plaintiff Demetrois Dixon, a state prisoner, proceeds without counsel and seeks relief under 42 U.S.C. § 1983. This matter is referred to the undersigned pursuant to Local Rule 302. See 28 U.S.C. § 636(b)(1). The undersigned previously screened plaintiff's complaint (ECF No. 1) and found the complaint states two cognizable claims against defendant F. Mohammad, but otherwise states no cognizable claims. (See ECF No. 10.) Plaintiff was directed to file a notice indicating how he wishes to proceed. Plaintiff has filed his notice and elects to stand on his complaint as filed and have a district judge assigned to the case to determine what claims are stated. (ECF No. 13.)

In accordance with the above, IT IS ORDERED that the Clerk of the Court shall assign a district judge to this case.

In addition, for the reasons stated in the court's screening order dated November 15, 2024 (ECF No. 10), IT IS RECOMMENDED that plaintiff's claims other than the First Amendment retaliation claim and Eighth Amendment excessive force claim against defendant F. Mohammad

1 be dismissed for failure to state a claim.

2 These findings and recommendations are submitted to the United States District Judge
3 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 21 days after
4 being served with these findings and recommendations, plaintiff may file written objections with
5 the court. Such a document should be captioned “Objections to Magistrate Judge’s Findings and
6 Recommendations.” Plaintiff is advised that failure to file objections within the specified time
7 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.
8 1991).

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10 Dated: November 22, 2024

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14 SEAN C. RIORDAN
15 UNITED STATES MAGISTRATE JUDGE
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